



120403

13281 U.S. PTO

MAIL STOP PATENT APPLICATION

Attorney Docket No.: 25865

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KHAIN et al.

Serial No. Not yet assigned

Filed: December 4, 2003

For: **METHOD AND APPARATUS FOR CONTROLLING ATMOSPHERIC CONDITIONS**
 (This is a Continuation-In-Part of International Patent
 Application PCT/ IL02/01036 with an international filing
 date of 25 December 2002)

FILING FORMFOR CONTINUATION-IN-PART OF INTERNATIONAL PATENT APPLICATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Sir:

1. This is a Request for filing a
 ___ Continuation Application under:
 ___ 37 CFR 1.53(b)(1)
 ___ Divisional Application under:
 ___ 37 CFR 1.53(b)(1)
 X Continuation-In-Part (CIP) application
 X 37 CFR 1.53(b)(2)

of **prior** ("parent"), international application:
 International Serial No. PCT/IL02/01036
 International Filing Date: 25 December 2002
 Entitled: **METHOD AND APPARATUS FOR CONTROLLING ATMOSPHERIC
 CONDITIONS**

2. X *Enclosed for application under 37 CFR 1.53(b) are:
 58 pages of text (cover page, specification, claims,
 abstract)
 84 claims
 22 sheets of drawings

17497 U.S. PTO
10/726563

120403

3. The **present** application names the following inventor(s):

- 1) Alexander KHAIN 2) Yuri FELDMAN 3) Mark PINSKY
 4) Vladimir ARKHIPOV 5) Yaroslav RYABOV 6) Alexander PUZENKO

X Newly executed oath or declaration (original or copy)
 will be submitted at a later date pursuant to 37 CFR 1.41,
 1.53

 Copy from a prior application (37 CFR 1.52 (b))

 (37 CFR 1.53--"CIP") The above-identified application (in which
 no payment of the Issue Fee, abandonment of or termination of
 proceedings has occurred) is hereby expressly abandoned as of the
 filing date of this new application.

The **Total Filing Fee** is calculated as follows:

 Enter the Amendment filed in the prior patent application on
 prior to calculating the filing fee.

 Enter the enclosed Preliminary Amendment prior to
 calculating the filing fee.

(Col 1)			(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	84	minus 20	64	x9=	576		x18=	0
INDEP	3	minus 3	0	x43=	0		x86=	0
BASE FILING FEE:				+385=	385		+770=	0
<u>xx</u> Multiple Dependent Claims				+145=	0		+290=	0
				TOTAL	961	OR	TOTAL	0

X Applicant(s) is/are a "small entity". A Verified Statement
 Claiming Small Entity Status:
 was filed in the parent application, and small entity status
 is still proper and desired;
X is asserted as allowed under 37 CFR ' 1.27.

X A check including the above-indicated filing fee is enclosed.

- ☐ A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$___ extension fee.
- ☐ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.
- ☐ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR 1.41, 1.53 with a surcharge under 37 CFR ' 1.16(e).
- ☐ The prior application is assigned of record to_____, the Assignment being recorded on_____, on Reel_____, Frame(s)_____.
- ☐ An original executed Declaration is enclosed.
- ☒ Amend the specification by inserting before the first line the sentence:
- This is a Continuation-In-Part of International Patent Application PCT/IL02/01036 with an international filing date of 25 December 2002 which claims priority to ISRAEL Patent Application No. 147287 filed 25 December 2001, the entire contents of which are hereby incorporated by reference in their entirety.--
- ☐ Benefit is claimed under 35 U.S.C. ' 119(e) from _____ Patent Application(s) No._____ filed_____.
- ☒ Foreign priority under 35 U.S.C. ' 119 of ISRAEL patent application(s) No. 147287, filed 25 December 2001, is hereby claimed. The certified priority paper(s):
- ☐ was/were filed in the parent case;
- ☐ is/are enclosed herewith;
- ☒ will be submitted at a later date.
- ☒ The power of attorney in this application is to Gary M. Nath, Reg. No. 26,965 et al, customer no. 20529.
- ☐ The power appears in the original papers in the prior application.
- ☒ The executed power will be submitted at a later date.

X Address all future communications to:

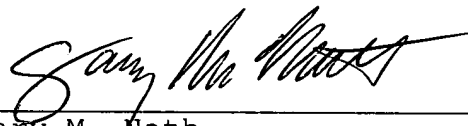
Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

— If extensions of time under 37 CFR ' 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR ' 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

X Submitted herewith is a check in the amount of \$ 961.00. The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: December 4, 2003



Gary M. Nath
Reg. No. 26,965
Marvin C. Berkowitz
Reg. No. 47,421
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TRANSMITTAL LETTER

Commissioner for Patents
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Alexandria, VA 22313-1450

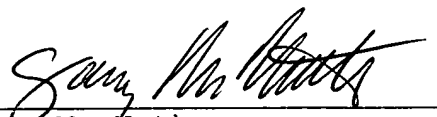
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Continuation-In-Part of an International Patent Application;
- (3) 80 Page Continuation-In-Part Application consisting of:
 - 48 pages, specification,
 - 9 pages with 84 claims,
 - 1 page of the abstract,
 - 22 sheets drawings;
- (4) **Preliminary Amendment with Attachment A**
- (5) Unexecuted Declaration/Power of Attorney;
- (6) Publication WO 03/061370 A1;
- (7) PCT/IPEA/408 Written Opinion;
- (8) Response to Written Opinion;
- (9) Check No. 19902 \$ 961.00 for filing fee and additional claims as a small entity;
- (10) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Marvin C. Berkowitz
Registration No. 47,421
Customer No. 20529

Date: December 4, 2003
NATH & ASSOCIATES PLLC
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